

9 POINT LITIGATION CHECKLIST

Checklist

- estimate sales
- market analysis
- _____
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1. Seek advice early on

A dispute can quickly escalate into a legal proceeding if it is not properly addressed by a party falsely hoping that the matter will simply resolve itself.

2. Don't ignore demand letters

Interest on claims could be accruing with every delay, and you may be liable for legal costs if court proceedings ensue.

3. Avoid missing the window of opportunity to issue proceedings

Be aware of statutory limitation periods that may prevent you from issuing legal proceedings if you wait too long (usually 6 years from when a cause of action accrues).

4. It's never too late to settle

It's never too late (or early) to settle a dispute. Even if legal proceedings are well under way, the parties can settle through informal negotiations or mediation.

5. The truth will set you free

Your statutory declaration, or affidavit, must only ever contain information that you personally know to be true, and can be used as evidence in court proceedings.

6. You can run but you can't hide

Evading personal service of a court document may buy you some time, but it will also inflate the claim against you and may not prevent legal proceedings from progressing.

7. Be conscious of any posted written or verbal information

It pays to be cautious of all the electronic and internet material that you author including photos, emails, and blogs. Once they're in the World Wide Web, they cannot be retrieved and may be subject to misuse or even defamation.

8. Be open to compromise

A cost-effective resolution of your dispute can be preferable to otherwise costly and time-consuming court proceedings.

9. Settling on agreed terms is often the right move

Accept that sometimes a dispute is not worth litigating, and a wise commercial decision may be to settle on agreed terms.

Contact our litigation specialists by email or directly on [9863 7621](tel:98637621) for expert guidance and peace of mind. Let us assess your specific problem and provide a fast and cost effective resolution.